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| <b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)<br/>FY 2009</b><br><i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>  |          | Docket Number (Optional)<br>31174/30016A |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
|--|----------|--|-------------|-----|------------------|--|--|-------|------|----------|---|-------|-------|----------|--|--------|-------|-------------|--|--------|-------|----------|--|--------|--------|----------|
| Application Number<br>10/664,468-Conf. #4351   |          | Filed<br>September 17, 2003              |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| For<br>Anthocyanin-Rich Berry Compositions That Act as a Powerful Antioxidant That Provides Various Health Benefits  |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| Art Unit<br>1655   | Examiner | M. C. Flood                              |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.   |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):  |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <table> <thead> <tr> <th></th> <th>Fee</th> <th>Small Entity Fee</th> <th></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td>\$130</td> <td>\$65</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td>\$490</td> <td>\$245</td> <td>\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td>\$1110</td> <td>\$555</td> <td>\$ 1,110.00</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td>\$1730</td> <td>\$865</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td>\$2350</td> <td>\$1175</td> <td>\$ _____</td> </tr> </tbody> </table> |          |  |             | Fee | Small Entity Fee |  | <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$130 | \$65 | \$ _____ | <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$490 | \$245 | \$ _____ | <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$1110 | \$555 | \$ 1,110.00 | <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$1730 | \$865 | \$ _____ | <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$2350 | \$1175 | \$ _____ |
|  | Fee      | Small Entity Fee                         |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))   | \$130    | \$65                                     | \$ _____    |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2))  | \$490    | \$245                                    | \$ _____    |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))   | \$1110   | \$555                                    | \$ 1,110.00 |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))   | \$1730   | \$865                                    | \$ _____    |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))   | \$2350   | \$1175                                   | \$ _____    |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.<br><input type="checkbox"/> A check in the amount of the fee is enclosed.<br><input checked="" type="checkbox"/> Payment by credit card.<br><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>13-2855</u> .<br><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>   |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| I am the <input type="checkbox"/> applicant/inventor.<br><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.<br>Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).<br><input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>31,879</u><br><input type="checkbox"/> attorney or agent under 37 CFR 1.34.<br>Registration number if acting under 37 CFR 1.34 _____<br><br><u>Jeffrey S. Sharp</u><br>Typed or printed name  |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <u>January 19, 2011</u><br>Date<br>(312) 474-6300<br>Telephone Number  |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.  |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |
| <input type="checkbox"/> Total of <u>1</u> forms are submitted.  |          |  |             |     |                  |  |  |       |      |          |   |       |       |          |  |        |       |             |  |        |       |          |  |        |        |          |

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: January 19, 2011

Signature:  (Jeffrey S. Sharp)